

ORDINANCE NO. 87 1105-C

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2A OF THE AUSTIN CITY CODE OF 1981 AS FOLLOWS:

TRACT 1. A 1.872 ACRE TRACT OF LAND OUT OF THE JAMES M. MITCHELL SURVEY, BEING A PORTION OF THAT CERTAIN TRACT OF LAND AS CONVEYED TO J.L. BURKETT, FROM "LO" LIMITED OFFICE TO "LR" NEIGHBORHOOD COMMERCIAL; AND

TRACT 2. 5,200 SQUARE FOOT TRACT OF LAND OUT OF THE JAMES MITCHELL SURVEY, BEING A PORTION OF THAT 1.872 ACRE TRACT OF LAND AS CONVEYED TO J.L. BURKETT, FROM "LO" LIMITED OFFICE TO "GR" COMMUNITY COMMERCIAL,

LOCALLY KNOWN AS 3815 SPICEWOOD SPRINGS ROAD SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 13-2A of the Austin City Code of 1981 is hereby amended to change the base zoning district on the property described in File C14r-87-089, as follows:

TRACT 1. From "LO" Limited Office to "LR" Neighborhood Commercial

A 1.872 acre tract of land, out of the James M. Mitchell Survey in the City of Austin, Travis County, Texas, being a portion of that certain tract of land as conveyed to J.L. Burkett by deed recorded in Volume 1690, Page 454 of the Deed Records of Travis County, Texas, also being a portion of that certain tract of land as conveyed to Spicewood Enterprises, Inc. by deed recorded in Volume 3819, Page 2015 of the Deed Records of Travis County, Texas, said tract of land being more particularly described by metes and bounds in Exhibit "A", attached hereto and incorporated by reference for all purposes; and,

TRACT 2. From "LO" Limited Office to "GR" Community Commercial

A 5,200 square foot tract of land out of the James Mitchell Survey in the City of Austin, Travis County, Texas, being a portion of that certain 1.872 acre tract

of land as conveyed to Spicewood Triangle Joint Venture, by Deed recorded in Volume 9408, Page 162, Deed Records, Travis County, Texas, said tract of land being more particularly described by metes and bounds in Exhibit "B," attached to this ordinance and incorporated by reference for all purposes; and

locally known as 3815 Spicewood Springs Road in the City of Austin, Travis County, Texas.

PART 2. It is hereby ordered that the Zoning Map accompanying Chapter 13-2A of the Austin City Code of 1981 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

PART 3. That the development of the property herein described shall be accomplished in accordance with the site plan attached hereto as Exhibit "C", or as such site plan is subsequently adjusted or modified as provided by subsection 13-2A-6100 et seq., of the Austin City Code of 1981. Except to the extent that such site plan is inconsistent therewith, the development and use of the property described herein shall be in accordance with applicable ordinances of the City of Austin.

PART 4. The requirement imposed by Section 2-2-3 of the Austin City Code of 1981 that this ordinance be read on three (3) separate days shall be waived by the affirmative vote of five (5) members of the City Council to pass this ordinance through more than one reading on a single vote.

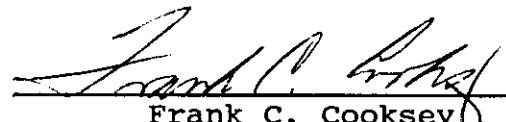
PART 5. This ordinance shall be effective ten (10) days following the date of its final passage.

PASSED AND APPROVED

November 5

, 1987

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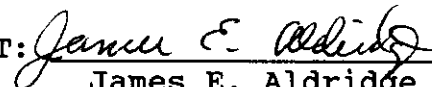
Frank C. Cooksey
Mayor

APPROVED



Jonathan Davis
Acting City Attorney

ATTEST:



James E. Aldridge
City Clerk

05NOV87
(D-1-c.3)
SJH:saf
87-089.ord

FIELD NOTES
FOR
L2T ASSOCIATES, INC.

2,400 SQUARE FOOT TRACT

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND, BEING A PORTION OF THE JAMES MITCHELL SURVEY IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 1.872 ACRE TRACT OF LAND AS CONVEYED TO SPICEWOOD TRIANGLE JOINT VENTURE, BY DEED RECORDED IN VOLUME 9408, PAGE 162, DEED RECORDS, TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at the Southwest corner of the said 1.872 acre Spicewood Triangle Joint Venture tract as recorded in Volume 9408, Page 162, Deed Records, Travis County, Texas, being at the intersection of the East r.o.w. line of Forest Mesa Drive, with the North r.o.w. line of Spicewood Springs Road Eastbound;

THENCE with the North r.o.w. line of Spicewood Springs Road Eastbound, S 55° 30' E for a distance of 44.14 feet to a point of curve;

THENCE continuing with the North r.o.w. line of Spicewood Springs Road Eastbound, along a curve to the right, whose radius is 892.07 feet, and whose chord bears S 50° 07' E for a distance of 167.50 feet;

THENCE N 40° 55' E for a distance of 24.00 feet to a point, for the Southeast corner and PLACE OF BEGINNING hereof;

THENCE N 49° 05' W for a distance of 30.00 feet to a point, for the Southwest corner hereof;

THENCE N 40° 55' E for a distance of 80.00 feet to a point, for the Northwest corner hereof;

THENCE S 49° 05' E for a distance of 30.00 feet to a point, for the Northeast corner hereof;

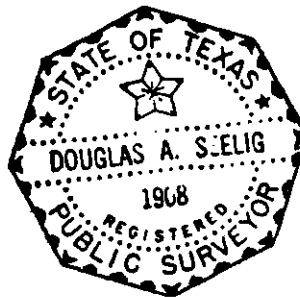
THENCE S 40° 55' W for a distance of 80.00 feet to the PLACE OF BEGINNING, and containing 2,400 square feet of land, more or less.

This description was prepared from deed records and does not represent an on the ground survey.

AS PREPARED BY:

Douglas A. Seelig

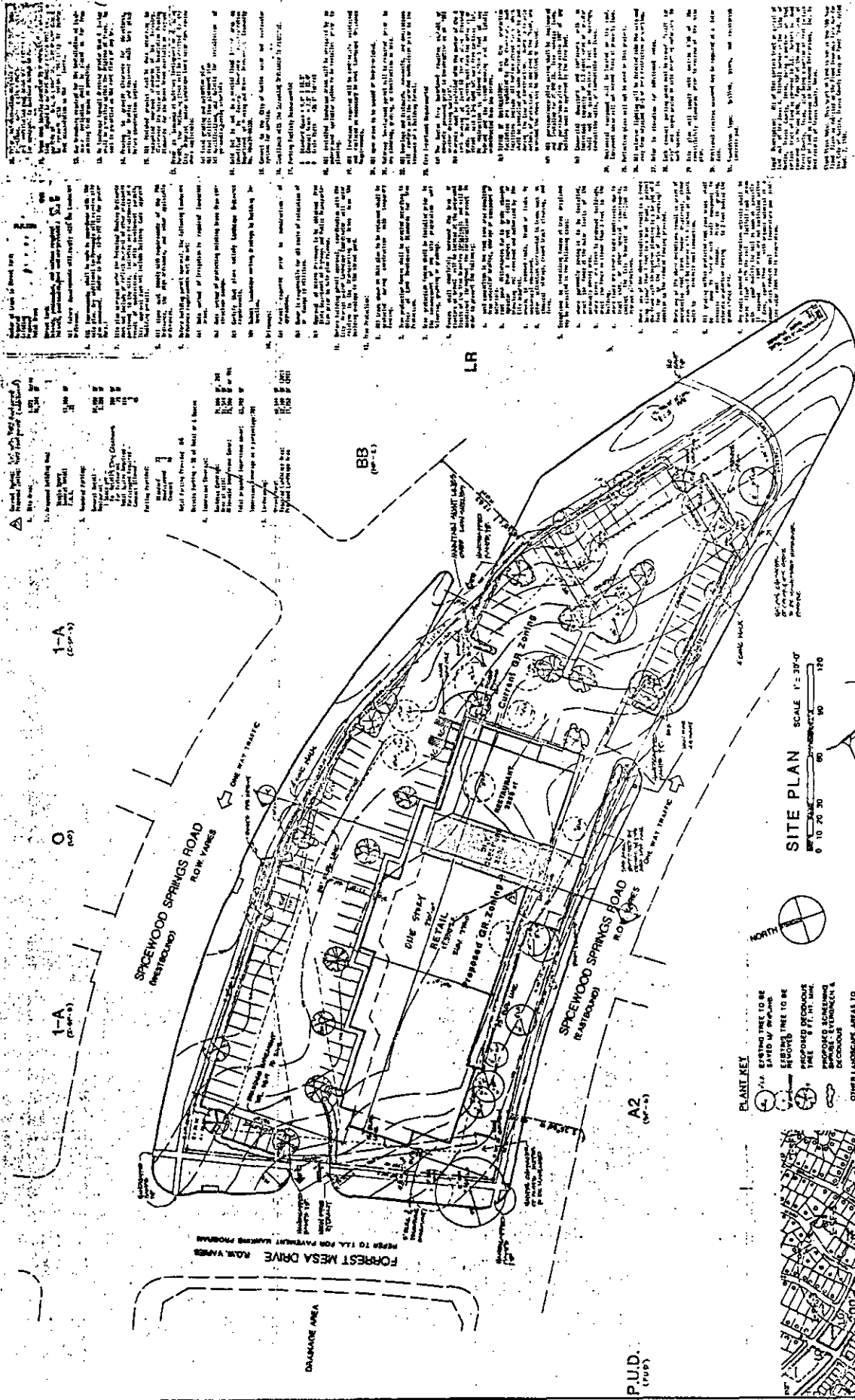
DOUGLAS A. SEELIG
REGISTERED PUBLIC SURVEYOR NO. 1908
3802 Manchaca Road
Austin, Texas 78704
September 8, 1987



Work Order #5864
Disk 7

EXHIBIT "A"

C14-87-158



PRINCIPAL *8-20-64*

SITE PLAN RELEASE

APPROVED ADMINISTRATIVE ON: *7-2-64*

APPROVED BY PLANNING COMMISSION ON: *10-17-64*

APPROVED BY CITY COUNCIL ON: *11-17-64*

Under Section *15.02* of Chapter *15-24* of the City of Austin Zoning Ordinance

Dated this *11th* day of *July*, 1964, at *11:14* a.m.

City of Austin, Texas

By: *W. W. Wilkins, Mayor*, Office of Land Transportation Services

City of Austin, Texas

By: *2* approved on: *11-17-64*

By: *2* approved on: *11-17-64*

By: *2* approved on: *11-17-64*

[illegible]

Austin American-Statesman

City of Austin

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

James R. Frizzell

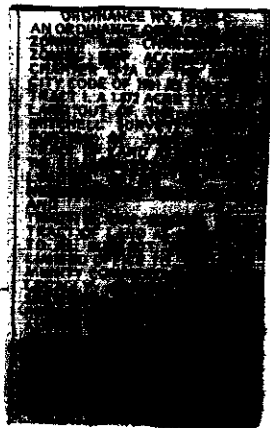
Classified Advertising Agent of the Austin American-Statesman, a daily newspaper published in said County and State, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

April 4th, 1988

and that the attached is a true copy of said advertisement.

SWORN AND SUBSCRIBED TO BEFORE ME, this the 5th

Day of April A.D. 1988.



Denise Stegall
(Type or Print Name)

Denise Stegall
Notary Public in and for
TRAVIS COUNTY, TEXAS

3/3/90
(My Commission Expires:)